

## JONES DAY

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October 23, 2024

VIA ECF

The Honorable Magistrate Judge Valerie Figueredo  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1660  
New York, NY 10007

Re: Findley v. Barr, No. 1:20-cv-09548-GBD-VF

Dear Judge Figueredo:

Pursuant to the Court’s October 2, 2024 Order (Dkt. 64), Petitioner Andrew Keith Findley (“Petitioner”) respectfully seeks leave to maintain Dkt. 1 and Dkt. 40-1 under seal because they include Petitioner’s personal identifiable information.

While the Second Circuit recognizes a qualified right of access to judicial documents, and a presumption in favor of public access, it also considers the weight of that presumption and how it balances against competing considerations, such as “the privacy interests of those resisting disclosure.” *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) (quoting *United States v. Amodeo*, 71 F.3d 1044, 1050 (2d Cir.1995)). Personal identifiable information “implicates privacy interests that overcome the presumption of public access.” *Sec. & Exch. Comm’n v. Ripple Labs, Inc.*, No. 20 CIV. 10832 (AT), 2023 WL 3477552, at \*7 (S.D.N.Y. May 16, 2023). For this reason, and particularly where the personal identifiable information at issue is only “minimally relevant” to the instant proceeding, this Court has granted motions to seal personal identifiable information. *Id.* at \*7–8.

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Petitioner's Alien Registration Number ("A-Number") appears on page 1 of Dkt. 1 and constitutes personal identifiable information implicating Petitioner's privacy interests. Further, Petitioner's A-Number is not relevant to any motion before this Court.

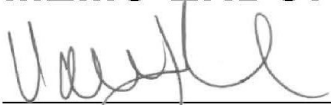
Petitioner's birth date appears on page 6 of Dkt. 40-1 (Tr. 51:16) and also constitutes personal identifiable information implicating Petitioner's privacy interests. More importantly, pursuant to Federal Rule of Civil Procedure 5.2(a)(2), a party making a filing which includes an individual's birth date may include only the year of the individual's birth.

Accordingly, Petitioner respectfully requests that the Court enter an Order maintaining Dkts. 1 and 40-1 under seal. Should the Court grant Petitioner's request to maintain these documents under seal, Petitioner can publicly file a redacted version of each document.

Very truly yours,

/s/ Amanda L. Dollinger  
Amanda L. Dollinger

**MEMO ENDORSED**



HON. VALERIE FIGUEREDO  
UNITED STATES MAGISTRATE JUDGE  
DATED: 10-24-2024

Petitioner's motion to seal is hereby GRANTED. Petitioner is directed to refile ECF Nos. 1 and 40-1 with redactions for the birth date and alien registration number on or before **Thursday, November 7, 2024**. The Clerk of Court is directed to terminate the motion at ECF No. 65.